

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KULDEEP SINGH,

Plaintiff,

v.

UR M. JADDOU, DIRECTOR, USCIS, et
al.,

Defendants.

No. 2:23-cv-00297 AC

FINDINGS AND RECOMMENDATIONS

This action has been assigned to the Magistrate Judge under the court's automated case assignment plan. See Local Rules, Appendix A, subsection (m). Pursuant to the Local Rule and the Civil Case Documents issued in this case (ECF No. 3) the parties were required to return the "CONSENT / DECLINE OF U.S. MAGISTRATE JUDGE JURISDICTION" form to the Clerk within 90 days from the date the action was filed, or within 14 days of removal from state court. ECF No. 3 at 2. Plaintiff did not file the required forms, or make any filing in this case, and on June 2, 2023, the undersigned issued an order to show cause within 10 days why sanctions should not issue. ECF No. 10. Plaintiff did not respond.

On June 26, 2023, the court issued a second order to show cause noting that plaintiff had not complied with the first order, and noting that plaintiff had also not complied with his obligations regarding service pursuant to Fed. R. Civ. P. 4(m). ECF No. 5. Plaintiff was ordered

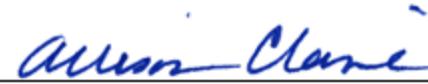
1 to respond within 14 days and was cautioned that failure respond would lead to a
2 recommendation that the action be dismissed. ECF No. 5. Plaintiff again did not respond.
3 Plaintiffs has not responded to the court's orders, nor taken any action to prosecute this case.
4 This case appears to have been abandoned.

5 The Clerk of Court is DIRECTED to assign a District Judge to this case.

6 IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for
7 lack of prosecution and for failure to comply with the court's order. See Fed. R. Civ. P. 41(b);
8 Local Rule 110.

9 These findings and recommendations are submitted to the United States District Judge
10 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one
11 (21) days after being served with these findings and recommendations, plaintiff may file written
12 objections with the court. Such document should be captioned "Objections to Magistrate Judge's
13 Findings and Recommendations." Local Rule 304(d). Plaintiff is advised that failure to file
14 objections within the specified time may waive the right to appeal the District Court's order.
15 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

16 DATED: July 14, 2023

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18 ALLISON CLAIRE
19 UNITED STATES MAGISTRATE JUDGE
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